

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

GARY L. TEMPLE,

Plaintiff,

vs.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration;

Defendant.

4:12CV3038

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion for attorney fees pursuant to 28 U.S.C. § 2412. Filing No. [23](#). Plaintiff is the prevailing party in this social security disability case, and the Court previously entered judgment in her favor. Filing Nos. [21](#) and [22](#). Plaintiff requests fees in the amount of \$4,548.62. This amount represents 21.1 hours of attorney work, at approximately \$185.00 per hour, and 7.3 hours of work by a legal assistant at \$90.00 per hour. The Defendant does not object to this amount, but requests that the EAJA fee be payable to the plaintiff and is subject to any offset for a pre-existing debt that plaintiff might owe to the United States.

The Court has carefully reviewed the billing itemization. Filing No. [23-1](#). The Court finds the requested amount and the hourly fees are reasonable and that the plaintiff is a prevailing party in this case. Accordingly, the Court will grant plaintiff's motions for fees in this case.

THEREFORE, IT IS ORDERED THAT plaintiff's motion for attorney fees, Filing No. [23](#), is granted in the amount of \$4,548.62.

IT IS FURTHER ORDERED THAT the attorney fee shall be paid directly to the plaintiff and is subject to any offset for a pre-existing debt that plaintiff might owe to the United States.

Dated this 5th day of September, 2013.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge